



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Counsel

**DATE:** September 11, 2006

**BOARD MEETING DATE:** September 26, 2006

**SPECIAL NOTICE/HEARING:** None

**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** County Counsel

**SUBJECT:** Correction of Property Tax Roll, APN 040-010-150  
1100 Park Place, San Mateo – Public Library Exemption  
Board Change #05-2951

**RECOMMENDATION:**

Approve corrections to the 2004 and 2005 property tax rolls, and the refund of taxes already paid, to correct for the application of the public library exemption related to the improvements at APN 040-010-150, located at 1100 Park Place, San Mateo (the "Property").

**VISION ALIGNMENT:**

**Commitment:** responsive, effective, and collaborative government.

**Goal 20:** Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

The implementation of this recommendation will further commitments and assist in achieving goals set forth in the County's Shared Vision 2010 report. Specifically, this proposal implements the commitment of providing "responsive, effective and collaborative government."

**BACKGROUND:**

Siebel Systems, Inc. ("Siebel") leases the entirety of the Property from its owner Bay Meadows Park Place Inv LLC ("Bay Meadows"). Siebel in turn subleased 89.65% of the building on the Property to the City of San Mateo Public Library (the "Library").

The Library subleased the building from August 2003 through August 2006 for use while its new library facility was being constructed. Bay Meadows paid the property taxes and Siebel filed the Lessor's exemption claim. The Library filed an affidavit for public libraries exemption in February 2005. The claim was reviewed and copies of the relevant documents were provided to, and examined by, the Assessor.

**DISCUSSION:**

After review of the claim and documents, the Assessor has found that, pursuant to Section 3(d) of Article XIII of the Constitution of the State of California, and Sections 202, 202.2, 254 and 259.8 of the Revenue and Taxation Code, all requirements for the public library exemption have been met as to the 89.65% of the building that is leased to the Library. Accordingly, the Assessor seeks the Board's approval of the roll correction for the 2004 and 2005 tax roll years. The Request for Approval of Decrease of Taxes No. 05-2951 is attached for reference.

**FISCAL IMPACT:**

The fiscal impact of this action is a \$357,565.40 decrease in the 2004 tax roll and a \$363,543.02 decrease in the 2005 tax roll; and corresponding property tax refunds of the same amount, plus interest.

**SAN MATEO COUNTY ASSESSOR'S OFFICE  
REQUEST FOR APPROVAL OF DECREASE OF TAXES**

RECEIVED  
CONTROLLER'S OFFICE  
Page 1 of 1

Bay Meadows Park Place Inv Llc  
1200 Park Pl Ste #200  
San Mateo, CA 94403

2005 No. 05-2951 5:21

APN: 040-010-150 VOL: 61 SITUS: 1100 Park Place San Mateo

COUNTY OF SAN MATEO  
CALIFORNIA  
TRA: 012001

The following Tax Roll Change(s) are requested, pursuant to section code 4831 of the Revenue and Taxation Code, due to: ASSESSOR ERROR - Correction To Institutional Exemption

Year	Land	Imps	Pers. Prop	Fixtures	Ex Cd	Ex Amt	Net Value
2004							
From	4,287,026	36,672,120	0	0		0	40,959,146
To	4,287,026	36,672,120	0	0	FMLI	32,876,555	8,082,591
Diff	0	0	0	0		32,876,555	-32,876,555

<input type="checkbox"/> Tax Dollar Decreases over \$10,000 require County Counsel authorization	Rate	Valuation	Dollars	Est. Interest
	1.0876	40,959,146	= 445,471.66	
<input checked="" type="checkbox"/> Tax Dollar Decreases over \$50,000 also require Board of Supervisors approval.	Revised (+) (-)	8,082,591	= 87,906.26	
<b>Net Decreases</b>		(32,876,555)	= (357,665.40)	11,461.00

Refund Required  Y  N

If yes, Estimated Refund: \$357,566.40 Payable to: BAY MEADOWS PARK PLACE

Year	Land	Imps	Pers. Prop	Fixtures	Ex Cd	Ex Amt	Net Value
2005							
From	4,372,766	37,405,562	0	0		0	41,778,328
To	4,372,766	37,405,562	0	0	FMLI	33,534,086	8,244,242
Diff	0	0	0	0		33,534,086	-33,534,086

<input type="checkbox"/> Tax Dollar Decreases over \$10,000 require County Counsel authorization	Rate	Valuation	Dollars	Est. Interest
	1.0841	41,778,328	= 452,918.84	
<input checked="" type="checkbox"/> Tax Dollar Decreases over \$50,000 also require Board of Supervisors approval.	Revised (+) (-)	8,244,242	= 89,375.82	
<b>Net Decreases</b>		(33,534,086)	= (363,543.02)	1,294.45

Refund Required  Y  N

If yes, Estimated Refund: \$137,083.60 Payable to: BAY MEADOWS PARK PL.

**Signature / Authorization**

Assessor Representative: <i>Luzmila M. Vazquez</i>	Date: 1/10/06	Deputy Controller: <i>[Signature]</i>	Date: 1/24/06
County Counsel: <i>[Signature]</i>	Date: 8/30/06	Board of Supervisors:	Date:

**Action**

Tax Refund Payable to:			
Roll Changed by:	Date:	Tax bill corrected & mailed by	Date: